

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES BALIS HILL,

Plaintiff,

v.

DOUG WADDINGTON

Defendant.

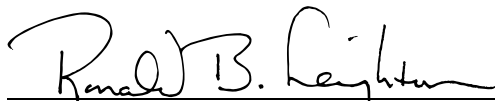
Case No. C05-5325 RBL/KLS

ORDER
ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's writ of habeas corpus (Dkt. # 14) is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b)(2) of the Federal Rules of Civil Procedure; and
- (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to the Hon. Karen L. Strombom.

DATED this 4th day of October, 2006.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE